

Squitieri & Fearon, LLP
305 Broadway, 7th Floor
New York, New York 10007
Tel: 212.421.6492
Fax: 212.421.6553
www.sfclasslaw.com



Olimpio Lee Squitieri
lee@sfclasslaw.com

October 24, 2023

VIA ECF

Honorable Kevin McNulty, U.S.D.J.
United States District Court
District of New Jersey
Martin Luther King Bldg. & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: *Greene v. Prince, et al.*
Case No. 23-01165-KM-LDW

Dear Judge McNulty:

We represent plaintiffs Pham Duy Anh, Dang; Trey Greene; and Arman Reyes (collectively, the “Greene Plaintiffs”) in the above-referenced federal securities class action pending in this Court. We write to apprise the Court that we believe its Order dated October 13, 2023 appointing the Greene Plaintiffs lead plaintiffs in this action (ECF No. 15 (the “Lead Plaintiff Order”)) and any action to be taken with respect to the Lead Plaintiff Order implicate the stipulated injunction entered by the United States Bankruptcy Court for the District of New Jersey on April 6, 2023, in connection with the bankruptcy of BlockFi, Inc. (the “Stipulated Injunction”). The Stipulated Injunction was filed on the docket in this action on April 18, 2023 (*see* ECF No. 4).

Accordingly, while this Court’s October 13, 2023 opinion in connection with the Lead Plaintiff Order observed that “no opposition has been filed to the Dang-Green Group motion (or the other motions)” (ECF No. 14 at 10), this was because the lead plaintiff movants were expressly forbidden from filing any further documents, including oppositions, by the Stipulated Injunction. Indeed, lead plaintiff movant Cameron Wyatt (“Wyatt”) unsuccessfully sought relief from the bankruptcy court to continue the prosecution of the lead plaintiffs motions. *See, e.g., BlockFi Inc., et al., v. Greene, et al.*, No. 23-ap-1071 (Bankr. D.N.J. August 28, 2023), Dkt. Nos. 20-31).

Absent the Stipulated Injunction, the Greene Plaintiffs and Wyatt would have alerted this Court that they had reached an agreement to combine their motions and to seek an order that the Greene Plaintiffs and Wyatt be appointed co-lead plaintiffs and Pomerantz LLP and Squitieri &

Honorable Kevin McNulty, U.S.D.J.

October 24, 2023

Page 2

Fearon, LLP be appointed co-lead counsel. *See* ECF Nos. 6 (motion to appoint Wyatt as lead plaintiff and Pomerantz LLP lead counsel) and 10 (motion to appoint Green Plaintiffs as lead plaintiffs and Squitieri & Fearon, LLP as lead counsel).

The Greene Plaintiffs and Wyatt are currently exploring available options with respect to the Stipulated Injunction to address the Lead Plaintiff Order in light of the above without running afoul of the Stipulated Injunction. That would include a motion to amend the Lead Plaintiff Order so that the Green Plaintiffs and Wyatt can serve as co-lead plaintiffs and Pomerantz LLP and Squitieri & Fearon, LLP as co-lead counsel, as these parties would have requested were they not precluded from doing so by the Stipulated Injunction.

The Greene Plaintiffs and Wyatt will keep the Court apprised of any developments with the Stipulated Injunction which expires by its own terms thirty (30) days after the effective date of BlockFi's confirmed plan of reorganization. We are likewise available if the Court has any questions.

Respectfully submitted,

SQUITIERI & FEARON, LLP

/s/Lee Squitieri

Lee Squitieri

305 Broadway

7th Floor

New York, N.Y. 10007

Tel: 212-421-6492

Fax: 212-421-6553

Email: lee@sfclasslaw.com

cc: Counsel of Record (via ECF)

COLE SCHOTZ P.C. (via email)

Michael O. Sirota, Esq,

Warren A. Usatine, Esq.

KIRKLAND & ELLIS LLP (via email)

KIRKLAND & ELLIS INTERNATIONAL LLP (via email)

Michael B. Slade

Joshua A. Sussberg, P.C.

Christine A. Okike, P.C.

Honorable Kevin McNulty, U.S.D.J.

October 24, 2023

Page 3

HAYNES AND BOONE, LLP (via email)

Richard S. Kanowitz, Esq.

Charles M. Jones II, Esq.

Aimee M. Fume